

Serial No. 10/038,725

Reply to Office Action Mailed: December 12, 2005

Attorney Docket No.038850.50822

Amendments to the Drawings:

The attached Replacement sheet of drawings includes changes to Fig. 8.

REMARKS

Reconsideration and allowance of this application are respectfully requested in view of the above amendment and the discussion below.

Claims 1 and 2 have been allowed and claims 5-6 and 10 have been indicated as containing allowable subject matter if combine with independent claims including claim limitations of any intervening claims. Claims 3, 7, 9-10, and 12-13 are rejected under 35 USC 102 a anticipated by Sakashita (US 4,939,789) with claims 4 and 8 rejected as unpatentable under 35 USC 103 over Sakashita in view of admitted prior art. Additionally claim 13 has been rejected under 35 USC 101 because it is directed to a medium storing nonfunctional descriptive mater.

In response to these rejections applicants have combined allowable subject matter of now cancelled claim 5 with independent claim 3. Claims 4 and 6-11 now depend from allowable amended claim 3. Additionally independent claims 12 and 13 have been amended to incorporate the allowable subject matter from claim 3. It is submitted that claims 12 and 13 are also allowable because none of the references show the features recited in these amended claims . This language is acknowledged by the Examiner as patentable over the prior art at item 10 on pages 8 and 9 of the Office Action.

In addition claim 13 has been further amended to refer to a program storage device readable by a machine tangibly embodying a program of instruction executable by the machine to perform method steps for broadcast reception control. This claim language has been considered appropriate to meet requirements for statutory subject matter when combined with method steps. It is submitted that the steps of claim 13 are clearly "functional" (e.g. receiving, subjecting and outputting) to also address the Examiner's objection as being nonfunctional.

Concerning the object to Figure 8, the replacement page labels Figure 8 as "Prior Art".

Therefore in view of the incorporation of allowable subject matter and the addressing of the objection to the drawing allowance of this application containing claims 1-4 and 6-13 is requested.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

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If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #038850.50822).

Respectfully submitted,

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